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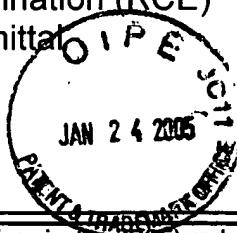
## Request

For

## Continued Examination (RCE)

Transmittal

Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450



Application Number

09/750,837

Filing Date

December 28, 2000

First Named Inventor

Rainer LOESCH et al.

Art Unit

1774

Examiner Name

Lawrence Ferguson

Attorney Docket Number

2345/17A

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 C.F.R. 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply  
 ii.  Affidavit(s)/Declaration(s)      iii.  Information Disclosure Statement (IDS)  
 iv.  Other \_\_\_\_\_

## 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)

b.  Other Request for an Extension of Time of 5 months.

## 3. Fees

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

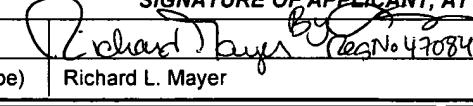
a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.11-0600. I have enclosed a duplicate copy of this sheet.

i.  RCE fee required under 37 C.F.R. 1.17(e)  
 ii.  Extension of time fee (37 C.F.R. 1.136 and 1.17)  
 iii.  Other The Director is hereby authorized, as appropriate and/or necessary, to charge payment of fees (including any additional and/or extension fees) required, associated with this communication or arising during the pendency of this application, and/or to credit any overpayment, to the deposit account number 11-0600 of Kenyon & Kenyon.

b.  Check in the amount of \$ \_\_\_\_\_ enclosed  
 c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	 Reg. No. 47084	Date	January 18, 2005
Name (Print /Type)	Richard L. Mayer	Registration No. (Attorney/Agent)	22,490

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

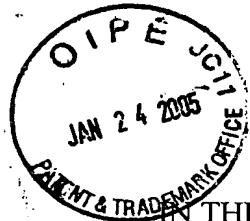
Signature	
Name (Print /Type)	Linda M. Shudy (Reg. No. 47,084)
Date	January 18, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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01/26/2005 HAL111 00000011 110600 790.00 DA

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[2345/17A]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Rainer LOESCH, et al.  
Serial No. : 09/750,837  
Filed : December 28, 2000  
Title : CALIBRATED SCALE IN THE NANOMETER RANGE  
FOR TECHNICAL DEVICES USED FOR THE HIGH-  
RESOLUTION OR ULTRAHIGH-RESOLUTION IMAGING  
OF STRUCTURES  
Art Unit : 1774  
Examiner : Lawrence Ferguson

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: January 18, 2005

Signature:

Linda M. Shudy (Reg. No. 47,084)

AMENDMENT

ACCOMPANIED BY A REQUEST FOR CONTINUED EXAMINATION

SIR:

In response to the Advisory Action dated June 30, 2004, please reconsider the above-identified application based on the following amendments and remarks. A Request for Continued Examination (RCE) is being filed along with this Amendment.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 4 of this paper.